

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NATIONAL LIABILITY & FIRE INSURANCE COMPANY	:	
	:	
Plaintiff	:	
v.	:	Civil Action No. 2:18-cv-01129-NBF
	:	
BRIMAR TRANSIT, INC.	:	
	:	
Defendant,	:	
and	:	
	:	
PITTSBURGH PUBLIC SCHOOL DISTRICT	:	
	:	
Intervenor-Defendant	:	

**NATIONAL LIABILITY & FIRE INSURANCE COMPANY’S APPENDIX IN SUPPORT
OF ITS MOTION FOR SUMMARY JUDGMENT**

Pursuant to LCvR 56.B.3, Plaintiff National Liability & Fire Insurance Company, by and through its undersigned counsel, Cozen O'Connor, submits the following Appendix in Support of its Motion for Summary Judgment:

1. Declaration of Wendy N. Enerson, Esq. with Exhibits A through H.
 - A. Underlying Complaint
 - B. National Liability & Fire Ins. Co. Business Auto Policy No. 73 APB 001185
 - C. July 24, 2018 Letter
 - D. Docket in the Underlying Action
 - E. December 4, 2020 Letter
 - F. February 10, 2021 Letter
 - G. July 9, 2021 Letter

- H. Declaration of Linda Bobro, Bates-stamped OMA000424-432 and OMA000482-483, produced by National Liability & Fire Insurance Company
- 2. Affidavit of Mark Richardson with Exhibits A through K.
 - A. Underlying Complaint
 - B. Excerpts of Transcript of Deposition of Marciano Nesbeth
 - C. Excerpts of Transcript of Deposition of Theodore R. Vasser, III
 - D. Excerpts of Transcript of the Deposition of Candice Miller
 - E. Excerpts of Transcript of the Deposition of Michelle Stanton
 - F. Excerpts of Transcript of the Deposition of Valerie Merlo
 - G. Excerpts of Transcript of the Deposition of Kayla Reynolds
 - H. Excerpts of Transcript of the Deposition of Melissa Ringold
 - I. Excerpts of Transcript of the Deposition of Justin Drexler
 - J. M.M. and K.M.'s written and verified answers to Brimar's discovery requests.
 - K. Document Production from Underlying Action Bates-stamped KM PPS 000001 to 000004.

Respectfully submitted,

COZEN O'CONNOR

Dated: March 16, 2022

By: /s/Wendy Enerson
Wendy N. Enerson, Esquire
(admitted pro hac vice)
123 North Wacker Drive, Suite 1800
Chicago, IL 60606
(312) 382-3162
wenerson@cozen.com

-and-

Charles J. Jesuit, Jr., Esquire
(admitted pro hac vice)
One Liberty Place

1650 Market Street, Suite 2800
Philadelphia, PA 19103
215-665-6967
cjesuit@cozen.com

-and-

Paul Steinman, Esquire
One Oxford Centre
31 Grant St., 41st Floor
Pittsburgh, PA 15219
412-620-6544
psteinman@cozen.com

*Attorneys for Plaintiff National Liability &
Fire Insurance Company*